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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,478	07/08/2003	James W. Ridout	41770-0203	9604
5179	7590	06/16/2005	EXAMINER	
PEACOCK MYERS AND ADAMS P C			XU, LING X	
P O BOX 26927			ART UNIT	PAPER NUMBER
ALBUQUERQUE, NM 871256927			1775	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/616,478	RIDOUT ET AL.	
	Examiner Ling X. Xu	Art Unit 1775	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 May 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) 133-159 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) See Continuation Sheet is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>5/24/2005</u> . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>see other</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> . |

Continuation of Disposition of Claims: Claims pending in the application are 1-4, 6-7, 9-10, 12-13, 15-16, 18-19, 21-22, 24-25, 27-28, 30-31, 33-34, 36-37, 39-56, 58-59, 61-62, 64-65, 67-68, 70-71, 73-74, 76-77, 79-80, 82-83, 85-86, 88-89, 91-96, 98-99, 101-102, 104-105, 107-108, 110-111, 113-114, 116-117, 119-120, 122-123, 125-126, 128-129, 131-159.

Continuation of Disposition of Claims: Claims rejected are 1-4, 6-7, 9-10, 12-13, 15-16, 18-19, 21-22, 24-25, 27-28, 30-31, 33-34, 36-37, 39-56, 58-59, 61-62, 64-65, 67-68, 70-71, 73-74, 76-77, 79-80, 82-83, 85-86, 88-89, 91-96, 98-99, 101-102, 104-105, 107-108, 110-111, 113-114, 116-117, 119-120, 122-123, 125-126, 128-129, 131-132 .

Continuation of Attachment(s) 6). Other: IDSs: 10/31/03, 11/19/03, 11/21/03, 1/15/04, 2/26/04, 11/29/04.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-132 in the reply filed on 5/13/2005 is acknowledged. A telephone interview with Mr. Philip D. Askenazy on 5/24/2005 verified that Group I should only includes claims 1-4, 6-7, 9-10, 12-13, 15-16, 18-19, 21-22, 24-25, 27-28, 30-31, 33-34, 36-37, 39-56, 58-59, 61-62, 64-65, 67-68, 70-71, 73-74, 76-77, 79-80, 82-83, 85-86, 88-89, 91-96, 98-99, 101-102, 104-105, 107-108, 110-111, 113-114, 116-117, 119-120, 122-123, 125-126, 128-129, 131-132 accordingly to the preliminary amendment filed on 3/8/2004.

Claims 133-159 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 5/13/2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-7, 9-10, 12-13, 15-16, 18-19, 21-22, 24-25, 27-28, 30-31, 33-34, 36-37, 39-56, 58-59, 61-62, 64-65, 67-68, 70-71, 73-74, 76-77, 79-80, 82-83, 85-86, 88-89, 91-96, 98-99, 101-102, 104-105, 107-108, 110-111, 113-114, 116-117, 119-120, 122-123, 125-126, 128-129, 131-132 are rejected under 35 U.S.C. 102(a) or 102(e) as being anticipated by Nee (US 2002/0034603).

With respect to claims 1-4, 6-7, 9-10, 12-13, 15-16, 18-19, 21-22, 24-25, 27-28, 30-31, 33-34, 36-37, 39-52, Nee discloses a reflective or semi-reflective coating comprising silver-based alloy such as silver-based zinc alloy having 85-99.99% of silver and 0.1-15% of zinc (see [0054]). The silver based zinc alloy may further alloyed with precious metal such as copper in the range of 0.01 to 5.0% of the amount of silver present (see [0057]). Other metals such as tin and silicon may also included in the silver-based alloy in the range of 0.01-5.0% of the amount of silver present (see [0057]).

With respect to claims 53-56, 58-59, 61-62, 64-65, 67-68, 70-71, 73-74, 76-77, 79-80, 82-83, 85-86, 88-89, 91-92, Nee discloses a reflective or semi-reflective coating comprising silver-based alloy such as silver-based zinc alloy having 85-99.99% of silver and 0.1-15% of zinc (see [0054]). The silver based zinc alloy may further alloyed with other metals such as tin and silicon in the range of 0.01-5.0% of the amount of silver present (see [0057]).

With respect to claims 93-96, 98-99, 101-102, 104-105, 107-108, 110-111, 113-114, 116-117, 119-120, 122-123, 125-126, 128-129, 131-132, Nee discloses a reflective or semi-reflective coating comprising silver-based alloy such as silver-based zinc alloy having 85-99.99% of silver (see [0054]). The silver based zinc alloy may further alloyed with precious metal such as copper in the range of 0.01 to 5.0% of the amount of silver present (see [0057]). Other metals such as

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tin and silicon may also included in the silver-based alloy in the range of 0.01-5.0% of the amount of silver present (see [0057]).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ling X. Xu whose telephone number is 571-272-1546. The examiner can normally be reached on 8:00 - 4:30 Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah D. Jones can be reached on 571-272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ling X. Xu
Examiner
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